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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/655,682	09/06/2000	Shigehiro Masuji	KYO.P0001	8970

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EXAMINER

TRAN, HENRY N

ART UNIT PAPER NUMBER

2674

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/655,682

Applicant(s)

MASUJI ET AL.

Examiner

HENRY N TRAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-22 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This Office action is in response to the applicant's amendment received 9/30/04. The amendments to the specification, the drawings, and the claims have been entered. Claims 1-22 are pending in this application. Applicants' remarks, see page 14, have been fully considered, and have overcome the objections and rejections recited in the prior Office action mailed 8/17/04. The indicated allowability of claim 1 is withdrawn in view of the newly discovered reference to Ishida et al (U.S. Patent No. 6,069,609). Upon further consideration, Rejections based on the amended claims and the newly cited references follow.

Drawings

1. The replacement Sheets of corrective drawings for Figs. 3 and 13 submitted with the Amendment on 9/30/04 have been accepted. The examiner has amended the drawings by redlining on top of each sheet to indicate "Replacement Sheet" as required by 37 CFR 1.84.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 7 and 10-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 7, which recites the limitation "the generator" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Re claim 10, which recites the limitation "the generator" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Re claim 7, which recites the limitation "the signal conversion" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Re claim 11, which recites the limitation "the conversion signal" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Re claim 12, which recites the limitation "the switch" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Re claims 12-16, which are dependent upon the base claim 11, and are held being indefinite by virtue of their dependencies on the base claim.

For the purpose of this Office action, the examiner assumes that the limitations:

"the generator" is changed to "a generator";

"the signal conversion" is changed to "a signal conversion"; and

"the switch" is changed to "a switch";

for overcome the rejections under 35 U.S.C. 112, second paragraph.

The Applicant is required to affirm or reverse this assumption in response to this Office action.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Ishida et al (U.S.

Patent No. 6,069,609, hereinafter referred to as "Ishida").

Ishida teach a video signal processing apparatus to process an input video signal for displaying an image, comprising: a signal detector 5 for receiving an input video signal D1 for detecting a gradation level (a shade) of the input video signal; and a error distribution processor 6 for depressing a color saturation level in the range of 0 to $2 \exp(n-1)$, which is the range of input shades, to a color level in the range of 0 to $2 \exp(m-1)$, which is the range of color display shades of a display; wherein, $m < n$; see Fig. 23; col. 2, lines 37-63; col. 3, lines 31-46; and col. 15, lines 28-46.

Allowable Subject Matter

6. Claims 6-22 are allowed.

7. Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

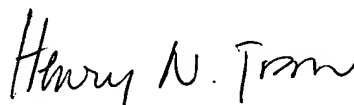
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY N TRAN whose telephone number is 703-308-8410.

The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD A HJERPE can be reached on 703-305-4709. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Henry N. Tran". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

HENRY N TRAN
Primary Examiner
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2/6/05